

Drugs.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 12, act of July 11, 1917, P. L. 758, amended by adding two new subsections (e) and (f).

Section 1. Section 12, act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; by regulating the use of drugs in the treatment of the drug habit; by providing for the revocation and suspension of licenses of physicians, dentists, veterinarians, pharmacists, druggists, and registered nurses for certain causes, and by providing for the enforcement of this act, and penalties," is amended by adding, at the end thereof, two new subsections to read:

Section 12.

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(e) *Any trial of any prosecution for violation of this act shall be held as soon after indictment as possible.*

(f) *The postponement of any trial for violation of this act shall be permitted only upon approval of a president judge of the court in which the prosecution is set for trial. A president judge shall approve the postponement only upon sworn petition of the defendant presented in open court at least two days before the date of trial and after investigation by the district attorney of the reasons assigned for the postponement.*

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 22nd day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 674

AN ACT

Amending the act of May 1, 1933 (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors; further providing for the attendance of supervisors or employes at road meetings and conventions; imposing duties on township secretaries; changing the time which may be expended by auditors in the completion of audits; authorizing managers to attend meetings of county associations of township officers; further providing for the parties who may protest a change in zoning.

The Second Class Township Code.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 512, act of May 1, 1933 (P. L. 103), known as "The Second Class Township Code," reenacted and amended July 10, 1947 (P. L. 1481), and amended June 1, 1956 (P. L. 2021), is amended to read:

Section 512, act of May 1, 1933, P. L. 103, reenacted and amended July 10, 1947, P. L. 1481 and amended June 1, 1956, P. L. 2021, further amended.

Section 512. Monthly Meetings; Quorum, Rent and Expenses.—The township supervisors shall meet for the transaction of business at least once each month, at a time and place to be fixed by the board, but they shall not be paid for more than sixteen meetings in any one year, except in any township where, on account of the exercise of governmental functions other than those relating to roads, more meetings are necessary, in which case, the number of meetings for which the supervisors may be paid may [with the prior approval of the auditors of the township] be increased to any number, not exceeding twenty-four in any year, in townships having a population of five thousand or less, and in townships having more than five thousand population not exceeding fifty meetings in any year. Two members shall constitute a quorum. Necessary expenses incurred in such meetings, including office rent, stationery, light and fuel, shall be paid out of the general township fund.

Section 2. Subsection (h) of section 516 of the act, amended May 20, 1957 (P. L. 174), is amended to read:

Subsection (h), section 516 of the act, amended May 20, 1957, P. L. 174, further amended.

Section 516. Duties of Supervisors, Township Superintendents, and Roadmasters.—The township supervisors, or the supervisors acting as superintendents or roadmasters, shall—

* * * * *

(h) Attend road meetings and conventions authorized by the provisions of this act when directed to do so by the board of supervisors. Any supervisor or qualified township employe may, if directed by the board of supervisors, attend any school conducted in the [county or in any adjacent county] *State* by a State or Federal agency.

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Section 3. Section 540 of the act, amended July 2, 1953 (P. L. 354), is amended to read:

Section 540 of the act, amended July 2, 1953, P. L. 354, further amended.

Section 540. Duties and Compensation.—The secretary in each township shall be clerk to the board of supervisors. He shall keep a record of the proceedings of said officers in a minute book in which he shall also record all court orders relative to the laying out, opening, and vacating of roads. The minute book, account book and other financial records shall be carefully preserved by the secretary and shall be turned over to his successor in office. Miscellaneous records and papers of

the township other than the minute book and account book may be destroyed with the consent of the supervisors after the lapse of six years from the date of such records.

The secretary shall prepare and write the annual tax duplicate of the township, and shall receive such compensation therefor as shall be fixed by the township supervisors. The combined amount paid to the secretary and treasurer for services, exclusive of the compensation for the preparation of the annual tax duplicate, shall not exceed three per centum of the money paid out by the treasurer, but it shall not be less than fifty dollars; and the calculation of such maximum compensation shall not include any percentage upon moneys paid out by the treasurer for the repayment of loans, notes, certificates, or other evidences of indebtedness, or other borrowed moneys.

The secretary shall inform all members of the board of supervisors of all functions and meetings, including special meetings of the board.

Section 547 of the act, amended May 20, 1957, P. L. 174, further amended.

Section 4. Section 547 of the act, amended May 20, 1957 (P. L. 174), is amended to read:

Section 547. Completion, Filing and Publication of Annual Township Report and Financial Statement.—The auditors shall complete their audit, settlement, and adjustment prior to March first of each year, and in [no case shall] *townships having a population of ten thousand (10,000) or less, no more than twenty days shall be expended on such audit. In townships having a population in excess of ten thousand (10,000), no more than forty days shall be expended on such audit.*

On or before March first of each year the auditors shall make a report, as hereinafter provided, of the affairs of the township, executed copies of which report shall be forthwith filed by the secretary of the auditors with the secretary of the township, the clerk of the court of quarter sessions of the county, the Department of Internal Affairs, and the Department of Highways. Each copy of such report shall be signed by at least a majority of the auditors, and duly verified by the oath of the secretary of the auditors. Any secretary of auditors, refusing or wilfully neglecting to file such township report, as hereinbefore provided, or to publish the financial statement herein required, shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of five dollars for each day's delay beyond the last day for filing such report, and costs, or in default of the payment of such fine and costs, be sentenced to imprisonment not exceeding ten days.

The township report shall be presented on a uniform form, prepared and furnished as hereinafter provided.

The township report shall contain the names and addresses of the chairman, members and secretary-treasurer of the board of supervisors of the township, a statement of the receipts of the township from all sources, and of all accounts and revenue which may be due and uncollected at the close of the fiscal year, a statement of the disbursements of the township during the fiscal year for the construction, reconstruction, maintenance and repair of the roads, for the purchase and repair of road equipment and machinery, the number of miles of road opened, built and permanently improved, and the total number of miles of road in the township, a statement of the balance in the township treasury at the beginning of the fiscal year, a statement of the resources and liabilities of the township at the end of the fiscal year, a detailed statement of the indebtedness of the township at the close of the fiscal year, the provisions made for the payment thereof, together with the purposes for which it was incurred, a statement of the cost of ownership and operation of each and every public service industry, owned, maintained or operated by the township, and such more specific information, as may be required as hereinafter provided.

On or before March tenth of each year, the auditors shall publish, by advertisement, once in at least one newspaper of general circulation published in the township, or if no such newspaper is published in the township, then in such a newspaper circulating in the township, a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year, all revenues received during the fiscal year by major classifications, all expenditures made during the fiscal year by major functions, and the current resources and liabilities of the township at the end of the fiscal year, the gross liability and net debt of the township, the amount of the assessed valuation of the township, the assets of the township with the character and value thereof, the date of the last maturity of the respective forms of funded debt, and the assets in the sinking fund. Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law, which requires the corporate authorities of townships to publish an annual statement of indebtedness.

If any township has a population of less than two hundred, as shown by the last preceding decennial census of the United States, the auditors may post five copies of the above financial statement in public places in the township in lieu of publication in a newspaper.

Section 602 of the act, amended July 2, 1959, P. L. 504, further amended.

Section 5. Section 602 of the act, amended July 2, 1959 (P. L. 504), is amended to read:

Section 602. Who to Attend; Compensation and Mileage.—The supervisors of townships, auditors, assessors, tax collectors, *managers*, solicitors, engineers, and the secretary of the board of township supervisors, when not a member of the board, shall attend such conventions whenever possible. Each township supervisor, auditor, assessor, tax collector, *manager*, solicitor, engineer, and secretary attending such convention shall receive a certificate, signed by the presiding officer and acting secretary of the convention, attesting his presence at the convention. Such certificate shall entitle him to collect from the township treasurer the sum of ten dollars per day for each day's attendance, and mileage at the rate of eight cents per mile traveled, to be computed by the route usually traveled from his place of residence to the place where the convention is held. No township supervisor, auditor, assessor, tax collector, *manager*, solicitor, engineer, or secretary shall be paid for more than one day's attendance in any one year.

Section 2005 of the act, amended May 20, 1949, P. L. 1562, further amended.

Section 6. Section 2005 of the act, amended May 20, 1949 (P. L. 1562), is amended to read:

Section 2005. Changes.—Such regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against such change, signed by the owners of twenty percent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear *or in the front or to either side* thereof extending one hundred feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of a majority of the supervisors.

Act effective immediately.

Section 7. This act shall take effect immediately.

APPROVED—The 22nd day of September, A. D. 1961.

DAVID L. LAWRENCE

No. 675

AN ACT

Amending the act of June 15, 1871 (P. L. 387), entitled "An act providing for the entry of certain proceedings on the judgment indexes of the several courts of this commonwealth," changing the place in indexing certain proceedings.

Judgment, ejectment and miscellaneous indexes.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: